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8 **UNITED STATES DISTRICT COURT**  
9 **CENTRAL DISTRICT OF CALIFORNIA**  
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11 JONATHAN RETTA, KIRSTEN  
SCHOFIELD, and JESSICA  
12 MANIRE, on Behalf of Themselves  
and All Others Similarly Situated,

13 Plaintiffs,

14  
15 v.

16 MILLENNIUM PRODUCTS, Inc.,

17 Defendant.  
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Case No. 2:15-CV-01801-PSG-AJW

**NOTICE OF NON-OPPOSITION TO  
MOTION TO APPOINT INTERIM  
CLASS COUNSEL PURSUANT TO  
FED. R. CIV. P 23(G)**

Judge: Hon. Philip S. Gutierrez  
Hearing Date: February 1, 2016  
Hearing Time: 1:30 PM

TAC Filed: October 8, 2015  
Trial Date: December 6, 2016

**NOTICE OF NON-OPPOSITION**

Pursuant to Rule 7-9 of the Local Rules for the Central District of California, Defendant Millennium Products, Inc. hereby submits this notice of non-opposition to Plaintiffs' Motion to Appoint Interim Class Counsel Pursuant to Fed. R. Civ. P. 23(g), which is currently set for hearing on February 1, 2016. (Dkt Nos. 37, 38.)

By submitting this notice, Millennium in no way concedes that treatment of any of Plaintiffs' claims on a classwide basis is appropriate, either on a nationwide basis, or on a California or New York basis. Millennium intends to argue at a later date that none of Plaintiffs' putative class claims meet the requirements for class certification. Millennium further denies the veracity of any of Plaintiffs' factual allegations, and specifically denies that any of Millennium's products have been labeled in a manner that was false or misleading at any time.

Dated: January 11, 2016

O'MELVENY & MYERS LLP

By: /s/ Scott M. Voelz

Scott M. Voelz  
Attorneys for Defendant  
Millennium Products, Inc.